

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	Chapter 13
)	
MARK CHRISTIAN,)	Case No. 19-56979-sms
)	
Debtor.)	Judge Sigler

MARK CHRISTIAN,)	
)	
Movant,)	
)	
v.)	CONTESTED MATTER
)	
DANIELA ABRAHA HINDS,)	
)	
Respondent.)	

OBJECTION TO PROOF OF CLAIM NUMBER 1

COMES NOW DEBTOR, Mark Christian (Movant), and hereby objects to Proof of Claim No. 1, showing this Honorable Court the following:

1.

This case was filed as a Chapter 13 bankruptcy on May 4, 2019. The 341 meeting of creditors was held on June 6, 2019, and the confirmation hearing was rescheduled to September 24, 2019.

2.

On June 17, 2019, DANIELA ABRAHA HINDS (Respondent) filed Proof of Claim number 1 in the amount of \$8,898.97 for the child support arrearage as of the filing date.

3.

On July 1, 2019, Canton Division Child Support Services filed Proof of Claim number 5 in the amount of \$8,898.97 for the same child support arrearage as of the filing date.

4.

Canton Division Child Support Services filed its proof of claim because Respondent applied to receive services from Child Support Services – Canton Division.

5.

The attorney who represents Canton Division Child Support Services and who filed proof of claim no. 5 on its behalf explained that because Respondent has applied for services from the agency, Canton Division Child Support Services is the proper place to send in currently-due child support payments and where the child support arrears would be paid by the Chapter 13 trustee. The Plan has been amended to reflect that proper payment for child support arrears and currently-owed child support is to be paid directly to Canton Division Child Support Services.

6.

Respondent was told by Canton Division Child Support Services' attorney on August 13, 2019 that proofs of claim numbers 1 and 5 are duplicative and that the child support agency is the correct repository for these payments while Respondent maintains her open file with Child Support Services. While Respondent has the option of either withdrawing the proof of claim that she filed or withdrawing her application for services from Child Support Services, she has not withdrawn either.

7.

As a result of the foregoing, Movant objects to Proof of Claim number 1 and asks the Court to *disallow* said claim.

WHEREFORE, Movant prays:

- a) That Proof of Claim no. 1, in the amount of \$8,898.97, be *disallowed* because it is duplicative;
- b) For such other and further relief as this Court may deem necessary and proper.

Date: August 21, 2019.

Respectfully submitted,
GINSBERG LAW OFFICES, P.C.

by: /s/ Susan S. Blum
Susan S. Blum
GA Bar No. 111315

1854 Independence Square
Atlanta, GA 30360
770-393-4985
blumlawfirm@gmail.com

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)	
DANIELA ABRAHA HINDS,)	
)	
Respondent.)	

NOTICE OF HEARING

PLEASE TAKE NOTICE that Movant has filed an objection to Proof of Claim Number 1 of DANIELA ABRAHA HINDS and seeks an order *disallowing* said proof of claim.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the objection in **Courtroom 1201, United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, Georgia, at 10:00 AM on September 24, 2019.**

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have any attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought in these pleadings or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so.

If you file a written response, you must attach a certificate stating when, how, and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk **at least two business days before the hearing**. The address of the Clerk's

Office is: Clerk, U.S. Bankruptcy Court, Suite 1340, 75 Ted Turner Drive, SW, Atlanta, Georgia, 30303. You must also mail a copy of your response to the undersigned at the address stated below.

Date: August 21, 2019.

Respectfully submitted,
GINSBERG LAW OFFICES, P.C.

by: /s/ Susan S. Blum
Susan S. Blum
GA Bar No. 111315

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CERTIFICATE OF SERVICE

This is to certify that I have this day, in compliance with Bankruptcy Rules 3015, 2002 and NDGA Bankruptcy Court General Order 21-2017, section 4.2, served the entities listed on below with a copy of the within and foregoing:

OBJECTION TO PROOF OF CLAIM NUMBER 1

by depositing a copy of the same in the United States Mail with sufficient postage thereon, filing electronically through the CM/ECF Noticing System, emailing, or sending by Certified Mail addressed to an officer of an insured depository institution:

Mark Christian
624 Victoria Lane
Woodstock, GA 30189

Chapter 13 Trustee
Mary Ida Townson, *via ECF*
191 Peachtree St, NE, Ste 2200
Atlanta, GA 30303-1740

U.S. Trustee, *via ECF*
75 Ted Turner Drive, Suite 362
Atlanta, GA 30303

Daniela Abraha Hinds (POC 1), *via e-mail*
32 Muncy Ct. S.E.
Smyrna, GA 30080
danielaabraham@hotmail.com

Kathryn C. Reeder (POC 5), *via e-mail*
Special Assistant Attorney General
Canton Division Child Support Services
PO Box 218
Holly Springs, GA 30142
cantoncse@dhs.ga.gov; kathrynreeder@reederlawfirm.com

Executed on August 21, 2019

By: /s/ Susan S. Blum
Susan S. Blum
Attorney for Debtor
Georgia Bar 111315

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Atlanta, GA 30338
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